

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Thomas Evenstad,

Case No. 0:12-cv-03179-RHK-AJB

Plaintiff,

vs.

Bryan Herberg, *et al.*

Defendants.

**STIPULATION OF THE PARTIES
FOR ENLARGING TIME FOR
DEFENDANTS TO ANSWER OR
OTHERWISE RESPOND TO
PLAINTIFF'S AMENDED
COMPLAINT AND TO CORRECT
THE RECORD**

WHEREAS, by Order of the Court dated June 24, 2013 [Doc. No. 20], Defendants were to file an answer or otherwise respond to Plaintiff's Complaint no later than July 26, 2013;

WHEREAS, on July 25, 2013, the parties filed with the Court a Stipulation For An Enlargement of Time for Plaintiff to respond to Defendants' Partial Motion to Dismiss [Doc. No. 21];

WHEREAS, Plaintiff provided several reasons in the Stipulation filed on July 25, 2013, for his inability to file a response to a partial motion to dismiss during the month of August;

WHEREAS, on July 25, 2013, Plaintiff also filed an Amended Complaint [Doc. No. 22] to which Defendants stipulated to its filing;

WHEREAS, Defendants have not yet filed their Partial Motion to Dismiss;

WHEREAS, the parties inadvertently requested an extension of time for Plaintiff to file a response to Defendants' Partial Motion to Dismiss when the Stipulation should have been for an extension of time for Defendants to file their partial motion to dismissal no later than August 26, 2013, in order to allow Plaintiff the time necessary to interpose a response to the Motion sometime in September;

WHEREAS, Defendants intend to file their Partial Motion to Dismiss in response to the Amended Complaint filed on July 25, 2013; and

WHEREFORE, the parties hereby stipulate and respectfully request that the Court issue an Order permitting the Defendants to file their contemplated Partial Motion to Dismiss the Amended Complaint no later than August 26, 2013.

Dated: July 30, 2013

Respectfully submitted,

OFFICE OF THE ATTORNEY GENERAL
State of Minnesota

s/Ricardo Figueroa

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ATTORNEYS FOR DEFENDANTS

Dated: July 30, 2013

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